

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

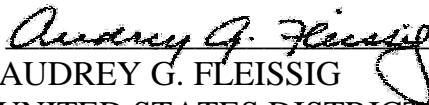
PATRICK MOORE, JR.,)	
)	
Petitioner,)	
)	
vs.)	Case No. 4:13CV00184 AGF
)	
IAN WALLACE,)	
)	
Respondent.)	

MEMORANDUM AND ORDER

This matter is before the Court on habeas Petitioner's motion for appointment of counsel, for an evidentiary hearing, and to expand the record. There is no constitutional right for a pro se habeas petitioner to have counsel appointed, although the Court has discretion to appoint an attorney when necessary. *Morris v. Dormire*, 217 F.3d 556, 558 (8th Cir. 2000). Among the factors a court should consider in making this determination are the factual and legal complexity of the case, the ability of the petitioner to present the facts and present his claims, and the degree to which the petitioner and the Court would benefit from such an appointment. *Id.* Upon review of the record, the Court does not believe that the appointment of counsel is necessary here. Nor is an evidentiary hearing necessary at this stage of the litigation. The relevant state court records have been provided by Respondent, and Petitioner does not identify any additional records that are needed by the Court to resolve Petitioner's claims.

Accordingly,

IT IS HEREBY ORDERED that Petitioner's motion for appointment of Counsel, for an evidentiary hearing, and to expand the record is **DENIED**. (Doc. No. 9.)



AUDREY G. FLEISSIG
UNITED STATES DISTRICT JUDGE

Dated this 28th day of August, 2013.